United Nations

Centre against Apartheid

Notes and Documents

12/90 August 1990

AGREEMENT REACHED BY THE GOVERNMENT OF SOUTH AFRICA AND THE AFRICAN NATIONAL CONGRESS OF SOUTH AFRICA AT THE CONCLUSION OF TALKS HELD AT PRETORIA ON 6 AUGUST 1990

(Note: This issue, which is published in accordance with General Assembly resolution S-16/1 of 14 December 1989, contains the text of the agreement referred to as the Pretoria minute, reached at the conclusion of talks between the representives of the Government of South Africa and the African National Congress of South Africa (ANC) that took place at Pretoria on 6 August 1990.)

All material in these Notes and Documents may be freely reprinted.
Acknowledgement, together with a copy of the publication containing the reprint, would be appreciated.
United Nations, New York 10017

90-18890

best copy available

The Government and the African National Congress of South Africa (ANC) have held discussions at the Presidency, Pretoria, today, 6 August 1990.

1. The Government and ANC have again committed themselves to the Groote Schuur Minute.

2. The final report of the Working Group on political offences, dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the report will be applied in a phased manner. The report makes provision for the formulation of guidelines that will be applied in dealing with members of all organizations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed. The meeting has instructed the Working Group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August 1990. The following target dates have in the meantime been agreed upon:

- The body or bodies referred to in paragraph 8.2 of the report of the Working Group will be constituted by 31 August 1990.

- The further release of prisoners which can be dealt with administratively will start on 1 September 1990.

- Indemnity which can be dealt with in categories of persons and not on an individual basis will be granted as from 1 October 1990. This process will be completed not later than the end of 1990.

- In all cases where the body or bodies to be constituted according to paragraph 8.2 of the report of the Working Group will have to consider cases on an individual basis, the process will be expedited as much as possible. It is hoped that this process will be completed within six months, but the largest date envisaged for the completion of the total task in terms of the report of the Working Group is not later than 30 April 1991.

This programme will be implemented on the basis of the report of the Working Group.

3. In the interest of moving as speedily as possible towards a negotiated peaceful political settlement and in the context of the agreements reached, ANC announced that it was now suspending all armed actions with immediate effect. As a result of this, no further armed actions and related activities by ANC and its military wing Umkhonto We Sizwe will take place. It was agreed that a working group would be established to resolve all outstanding questions arising out of this decision, to report by 15 September 1990. Both sides once more committed themselves to do everything in their power to bring about a peaceful solution as quickly as possible.

4. Both delegations expressed serious concern about the general level of violence, intimidation and unrest in the country, especially in Natal. They agreed that in the context of the common search for peace and stability, it

was vital that understanding should grow among all sections of the South African population that problems can and should be solved through negotiations. Both parties committed themselves to undertake steps and measures to promote and expedite the normalization and stabilization of the situation in line with the spirit of mutual trust obtaining among the leaders involved.

5. With due cognizance of the interest, role and involvement of other parties, the delegations consider it necessary that whatever additional mechanisms of communication are needed should be developed at local, regional and national levels. This should enable public grievances to be addressed peacefully and in good time, avoiding conflict.

6. The Government has undertaken to consider the lifting of the state of emergency in Natal as early as possible in the light of positive consequences that should result from this accord.

7. In view of the new circumstances now emerging, there will be an ongoing review of security legislation. The Government will give immediate consideration to repealing all provision of the Internal Security Act that:

(a) Refer to communism or the furthering thereof;

(b) Provide for a consolidated list;

(c) Provide for a prohibition on the publication of statements or writings of certain persons;

(d) Provide for an amount to be deposited before a newspaper may be registered.

The Government will continue reviewing security legislation and its applicaton in order to ensure free political activity and with the view to introducing amending legislation at the next session of Parliament. The Minister of Justice will issue a statement in this regard, inter alia, calling for comments and proposals.

8. We are convinced that what we have agreed upon today can become a milestone on the road to true peace and prosperity for our country. In this we do not pretend to be the only parties involved in the process of shaping the new South Africa. We know there are other parties committed to peaceful progress. All of us can henceforth walk that road in consultation and co-operation with each other. We call upon all those who have not yet committed themselves to peaceful negotiations to do so now.

9. Against this background, the way is now open to proceed towards negotiations on a new constitution. Exploratory talks in this regard will be held before the next meeting which will be held soon.

———

READEX FICHE